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ACWA wants perchlorate lawsuits stopped

Legislation sought to protect water agencies from personal claims

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The Association of California Water Agencies, of which Castaic Lake Water Agency and Newhall County Water District are members, is attempting to persuade the California legislature to protect water utility businesses from personal injury lawsuits, resulting from the discovery of perchlorate in water supplies.

High levels of perchlorate, a chemical used in the testing of explosives and rocket fuel, has been found to have contaminated several wells adjacent to the Whittaker-Bermite site, a former weapons testing facility at Porta Bella. Porta Bella is a proposed housing development on land in the center of Santa Clarita.

Perchlorate only began to be discovered in well water and drinking water supplies statewide in 1997; previously there were no tests for the chemical. There are currently 14 states with confirmed perchlorate contamination in ground surface water, according to the Environmental Protection Agency.

The EPA also said there is currently inadequate research to determine the potential health hazards from perchlorate-infected water.

But ACWA, a state-wide association with 440 water wholesalers and retailers as members, is taking steps now to protect its affiliates from future legal action.

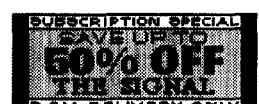
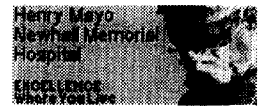
"This issue came to our attention from certain members," said ACWA director of communications Jennifer Persike-Becker. "Right now it's just a proposal we hope to bring through the legislative process. It's in the infancy stages."

ACWA state legislative director Bob Reeb said, "We are engaged in discussions with various legislators, essentially to share with them the quandary public water systems find themselves in."

That quandary, as Reeb described it, is what water companies can do to stave off lawsuits when a previously unknown or unacknowledged substance is discovered to be a public health hazard.

"We have to comply with federal and state drinking water standards, and monitor for various contaminants," Reeb said. "We comply with those standards, then we find out a substance like perchlorate is in the water, which no one ever heard of, an unknown substance for which no standards are set. Our members want immunity from litigation when they are purveying drinking water that complies with (current state and federal) standards."

Reeb emphasized that ACWA members "provide safe drinking water. We don't want to be liable for anything which might be in (the water) which we don't know about."



Reeb refused to discuss details as to which California legislators were being contacted, or what steps were being undertaken on behalf of ACWA members.

CLWA referred questions regarding ACWA's activities to Reeb and Persike-Becker.

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